

JAN 23 2008

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

U.S.A.

Plaintiff,

- against -

07 cr 737 ()

CULLEN HUMPHREY KA,

Defendant

**MOTION TO ADMIT COUNSEL
PRO HAC VICE**

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, MARC BERN, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of

Applicant's Name: MICHAEL BERG

Address: 401 WEST "A" ST., SUITE 2600

City/State/Zip: SAN DIEGO, CA 92101

Phone Number: Fax Number: TEL: 619-239-2186; FAX 619-696-1410

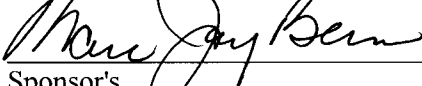
MICHAEL BERG is a member in good standing of the Bar of the State of CALIFORNIA

There are no pending disciplinary proceeding against MICHAEL BERG in any State or Federal court.

Dated: 1/3/08

City, State: New York, NY

Respectfully submitted,



Sponsor's
SDNY Bar

Firm Name: NAPOLEI, BERN & RIPKA

Address: 115 BROADWAY, 12TH FLOOR

City/State/Zip: NEW YORK, NY 10006

Phone Number: 888-886-9529

Fax Number: 212 513 7320

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

U.S.A. Plaintiff,

- against -

07 cr 737 ()

CULLEN HUMPHREY KA, Defendant

**AFFIDAVIT OF MARC BERN
 IN SUPPORT OF MOTION
 TO ADMIT COUNSEL
 PRO HAC VICE**

State of New York)

)

ss:

County of New York)

MARC BERN, being duly sworn, hereby deposes and says as follows:

1. I am a member in good standing of the bar of the STATE OF NEW YORK, and was admitted to practice law in (1975). I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
2. I have known MICHAEL BERG his entire life.
3. I have found MR. BERG to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
4. Accordingly, I am pleased to move the admission of MICHAEL BERG, pro hac vice.
5. I respectfully submit a proposed order granting the admission of MICHAEL BERG, pro hac vice, which is attached hereto as Exhibit A.

WHEREFORE it is respectfully requested that the motion to admit MICHAEL BERG, pro hac vice, to represent Plaintiff in the above captioned matter, be granted.

Dated: 1/3/08

City, State: New York, NY

Notarized: Betsy Barranco

BETSY BARRANCO
 Notary Public, State of New York
 No. 01BA6043158
 Qualified in Richmond County
 Commission Expires June 12, 20 10

Respectfully submitted,

Marc Bern

MARC BERN

SDNY Bar Code: 6608

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

U.S.A.

Plaintiff,

- against -

07 cr 737 ()

CULLEN HUMPHREY KA,

Defendant

**ORDER FOR ADMISSION
PRO HAC VICE
ON WRITTEN MOTION**

Upon the motion of MARC BERN

and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Applicant's Name: Firm Name: MICHAEL BERG

Address: 401 WEST "A" ST., SUITE 2600

City/State/Zip: SAN DIEGO, CA 92101

Telephone/Fax: TEL: 619-239-2186; FAX 619-696-1410

Email Address: msberg@attglobal.net

is admitted to practice pro hac vice as counsel for DEFENDANT KA in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated:

City, State:

United States District/Magistrate Judge

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.
COUNTY OF NEW YORK)

BETSY BARRANCO, being duly sworn, deposes and says that:

1. I am not a party to this action; I am over the age of 18 years: and reside in
Richmond, New York

2. That on the 23nd day of January, 2008, deponent served the within MOTION TO
ADMIT COUNSEL PRO HAC VICE upon the following attorneys for the defendant(s), as listed
below, at the address designated by said attorneys for that purpose by depositing a true copy of
same enclosed in a postpaid properly addressed wrapper, in a post official depository under the
exclusive care and custody of the United States Postal Service within the State of New York.

To: Lloyd Epstein
 225 Broadway
 New York, NY 10007


Erika Edwards
103 East 125th Street
ste. 1102
New York, NY 10035

Richard Lind
745 Fifth Ave.
suite 902
New York, NY 10151

Robert Mauer
1325 Franklin Ave.
suite 210
Garden City, NY 11530


Betsy Barranco

Sworn to before me this
23rd day of January, 2008


Notary Public

MICHELLE LEGENDRE
Notary Public, State of New York
No. 07153153830
Qualified in Kings County
Commission Expires October 23, 2010



State of New York
Supreme Court, Appellate Division
Third Judicial Department

I, Michael J. Novack, Clerk of the Appellate Division of the Supreme Court of the State of New York, Third Judicial Department, do hereby certify that

Marc Jay Bern

having taken and subscribed the Constitutional Oath of Office as prescribed by law, was duly licensed and admitted to practice by this Court as an Attorney and Counselor at Law in all courts of the State of New York on the 10th day of May, 1983, is currently in good standing and is registered with the Administrative Office of the Courts as required by section four hundred sixty-eight-a of the Judiciary Law.

In Witness Whereof, I have hereunto set my hand and affixed the Seal of said Court, at the City of Albany, this 7th day of January, 2008.



Michael J. Novack

Clerk